



Reprinted
February 4, 2005

HOUSE BILL No. 1078

DIGEST OF HB 1078 (Updated February 3, 2005 2:33 pm - DI 52)

Citations Affected: IC 4-4; IC 8-1; IC 14-34.

Synopsis: Coal issues. Revises the reclamation fees per ton of coal produced for surface and underground coal mining operations. Directs the center for coal technology research to investigate matters concerning coal bed methane. Provides that clean coal and energy projects include projects that use coal bed methane.

Effective: July 1, 2005.

Hoffman, Stilwell

January 6, 2005, read first time and referred to Committee on Natural Resources.
January 13, 2005, reported — Do Pass; referred to Committee on Ways and Means pursuant to Rule 127.
January 27, 2005, reported — Do Pass.
February 3, 2005, read second time, amended, ordered engrossed.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1078

A BILL FOR AN ACT to amend the Indiana Code concerning
natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-4-30-5 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2005]: Sec. 5. The center for coal technology
3 research is established to perform the following duties:

4 (1) Develop technologies that can use Indiana coal in an
5 environmentally and economically sound manner.

6 (2) Investigate the reuse of clean coal technology byproducts,
7 including fly ash **and coal bed methane**.

8 (3) Generate innovative research in the field of coal use.

9 (4) Develop new, efficient, and economical sorbents for effective
10 control of emissions.

11 (5) Investigate ways to increase coal combustion efficiency.

12 (6) Develop materials that withstand higher combustion
13 temperatures.

14 (7) Carry out any other matter concerning coal technology
15 research, including public education, as determined by the center.

16 (8) Administer the Indiana coal research grant fund under
17 IC 4-23-5.5-16.

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(9) Investigate the use of coal bed methane in the production of renewable or alternative fuels and renewable energy sources.

SECTION 2. IC 8-1-8.8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. As used in this chapter, "clean coal and energy projects" means any of the following:

(1) Any of the following projects:

(A) Projects at new energy generating facilities that employ the use of clean coal technology and that are fueled primarily by coal or gases, derived from coal from the geological formation known as the Illinois Basin.

(B) Projects to provide advanced technologies that reduce regulated air emissions from existing energy generating plants that are fueled primarily by coal or gases from coal from the geologic formation known as the Illinois Basin, such as flue gas desulfurization and selective catalytic reduction equipment.

(C) Projects to provide electric transmission facilities to serve a new energy generating facility.

(2) Projects to develop alternative energy sources, including renewable energy projects.

(3) The purchase of fuels produced by a coal gasification facility.

(4) Projects described in subdivisions (1) through (3) that use coal bed methane.

SECTION 3. IC 14-34-13-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. All operators of surface coal mining operations subject to this article shall pay to the department for deposit in the natural resources reclamation division fund established by IC 14-34-14-2 a reclamation fee of ~~three~~ **five** cents ~~(\$0.03)~~ **(\$0.05)** per ton of coal produced.

SECTION 4. IC 14-34-13-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. ~~Beginning July 1, 2003,~~ All operators of underground coal mining operations subject to this article shall pay to the department for deposit in the natural resources reclamation division fund established by IC 14-34-14-2 a reclamation fee of ~~two~~ **three** cents ~~(\$0.02)~~ **(\$0.03)** per ton of coal produced.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1078, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

HOFFMAN, Chair

Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1078, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

ESPICH, Chair

Committee Vote: yeas 23, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1078 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-4-30-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. The center for coal technology research is established to perform the following duties:

- (1) Develop technologies that can use Indiana coal in an environmentally and economically sound manner.
- (2) Investigate the reuse of clean coal technology byproducts, including fly ash **and coal bed methane**.
- (3) Generate innovative research in the field of coal use.
- (4) Develop new, efficient, and economical sorbents for effective control of emissions.
- (5) Investigate ways to increase coal combustion efficiency.
- (6) Develop materials that withstand higher combustion temperatures.
- (7) Carry out any other matter concerning coal technology research, including public education, as determined by the center.
- (8) Administer the Indiana coal research grant fund under IC 4-23-5.5-16.
- (9) Investigate the use of coal bed methane in the production of renewable or alternative fuels and renewable energy sources.**

SECTION 2. IC 8-1-8.8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. As used in this chapter, "clean coal and energy projects" means any of the following:

- (1) Any of the following projects:
 - (A) Projects at new energy generating facilities that employ the use of clean coal technology and that are fueled primarily by coal or gases, derived from coal from the geological formation known as the Illinois Basin.
 - (B) Projects to provide advanced technologies that reduce regulated air emissions from existing energy generating plants that are fueled primarily by coal or gases from coal from the geologic formation known as the Illinois Basin, such as flue gas desulfurization and selective catalytic reduction equipment.
 - (C) Projects to provide electric transmission facilities to serve a new energy generating facility.
- (2) Projects to develop alternative energy sources, including

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renewable energy projects.

(3) The purchase of fuels produced by a coal gasification facility.

(4) Projects described in subdivisions (1) through (3) that use coal bed methane."

Renumber all SECTIONS consecutively.

(Reference is to HB 1078 as printed January 14, 2005.)

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